## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE COLUMBIA DIVISION

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Defendant.	ý	
OFFICER BILL HAMBY, et al.,	)	
v.	<i>)</i>	NO. 1:04-0067 JUDGE HAYNES
Plaintiff,	)	NO 1:04 0067
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JOHN BRADFORD ROBINSON,	)	

ORDER

Before the Court are two Reports and Recommendations of the Magistrate Judge (Docket Entry Nos. 64 and 68), recommending that the Plaintiff's motion to amend (Docket Entry No. 35) be denied and that the Defendants' motion for summary judgment (Docket Entry Nos. 38) be granted, in part, and denied in part, to dismiss all Defendants except Defendants Bill Hamby and Philip King on Plaintiff's excessive use of force claim against the latter Defendants.

The Court has considered <u>de novo</u> the parties' objections to these Reports and Recommendations (Docket Entry Nos. 65, 69, 70 and 71). After a review, the Court **ADOPTS** the Reports and Recommendations and the Plaintiff's motion to amend (Docket Entry No. 35) is **DENIED** and the Defendants' motion for summary judgment (Docket Entry No. 38) is **GRANTED** in part, to dismiss the Defendants Anthony Norwood, Miller Meadows, Eddie Bass, Carol Ann Johnson and the Giles County Sheriff's Department. The Defendants' motion for summary judgment is **DENIED**, in part, as to the Plaintiff's claims for use of excessive force against the Defendants Bill Hamby and Philip King, in their individual capacities. The Plaintiff's proof is legally insufficient to support any claim against Giles County.

It is so **ORDERED**.

ENTERED this the // day of January, 2006.

WILLIAM J. HAY NES JR. United States District Judge